

REMARKS

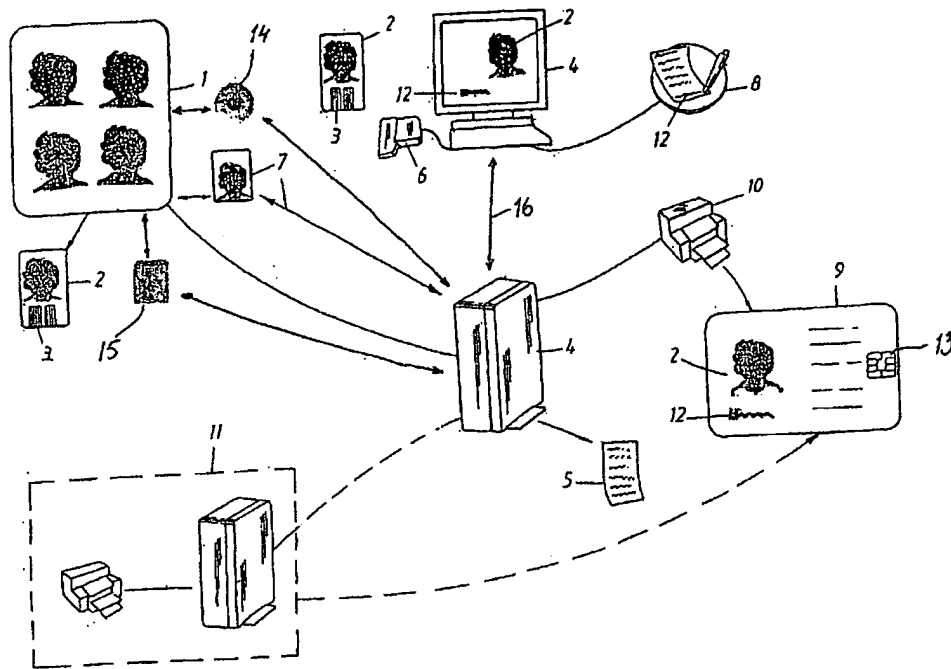
The Examiner is thanked for the due consideration given the application. The specification has been amended to improve the format.

Claims 1-13 and 17-20 are pending in the application. Claims 1-13 have been amended to improve the language in a non-narrowing fashion. Claims 17-20 are new and find support in the specification at page, lines 13-18.

Rejection Under 35 USC §103(a)

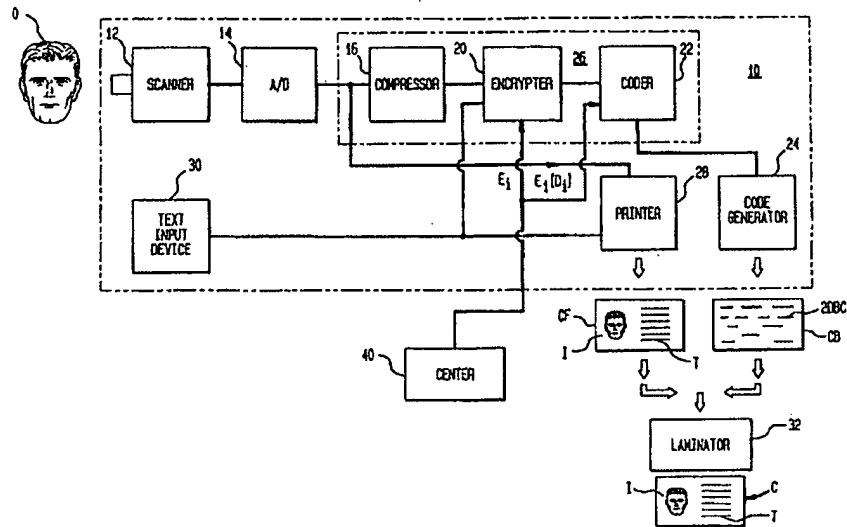
Claims 1-13 have been rejected under 35 USC §103(a) as being unpatentable over MARCUS (U.S. Patent 6,394,494) in view of BARATELLI (U.S. Patent 6,325,285). This rejection is respectfully traversed.

The present invention pertains to a method of producing an ID document that is illustrated, by way of example, in the drawing figure of the application, which is reproduced below.



In the present invention, a photograph (2) is produced in a **digital** form and transferred (7) for direct copying into the ID document (9) while still in its digital form. The present invention also includes producing in digital form additional information concerning an owner of the ID document (9) in the form of a facial recognition image that is created by software, computer processing the photograph produced in digital form, and transferring the additional information for incorporation in the ID document (9) in an electronic form (13). These aspects of the present invention are reflected in independent claims 1 and 8.

MARCUS pertains to an identification card and method and apparatus for producing and authenticating such an identification card. Figure 1 of MARCUS is reproduced below.



One important difference is that the present invention uses a digital camera to take/produce a digital image directly of the individual. In contrast, MARCUS uses an analog scanning device and thereafter an AD-converter. This is a first important difference since, as is evident for the skilled person, this is undesirable both from a quality point of view and also from a hardware point of view.

Further, the digital file that is produced by the camera is in turn used to produce **biometric data** (see, e.g., new claims 17-20), that can be used as additional information (beside the visual image of the face) to obtain *considerata* that will assist in identifying the individual presenting the ID document. In MARCUS there is no utilization of additional information but a supplementary use of the visual image of the face stored electronically (e.g. bar code) on the ID document. Accordingly,

MARCUS is fundamentally different from the present invention, where additional data is used to improve security and reliability.

Furthermore, the system according to the present invention would provide for usage of different kind of apparatuses to assist in controlling the identity of the individual, since biometric data may be controlled by machines (in contrast to the displayed image according to MARCUS).

Also, there are considerable advantages regarding the production of an ID document of the present invention, as was presented in the applicant's submission that was already filed with the European Patent Office. A copy of this submission will follow. The present invention thus shows unexpected results over the applied art references.

Regarding BARATELLI, this non-analogous reference relates to a smart card merely using a finger print comparison. BARATELLI does not at all relate to the claims of the present invention. That is, BARATELLI fails to disclose:

- o a photograph (2) produced in a digital form,
- o transferred (7) to a document production site to be included as a photograph into the document (9) while still in its digital form in connection with production of the ID document,
- o using the photograph (2) to produce in digital form additional information,

- o in the form of an iris image and/or a facial recognition image concerning the owner of the ID document (9), and
- o transferring the additional information to said document production site,
- o for incorporation into the ID document (9) in an electronic form (13), and
- o storing in the ID document (9) electronically said additional information as a supplement to the photograph (2).

One of ordinary skill and creativity would thus fail to produce a claimed embodiment of the present invention from a knowledge of MARCUS and BARATELLI. A *prima facie* case of unpatentability has thus not been made. Additionally, unexpected results rebut any unpatentability that could be alleged.

This rejection is believed to be overcome, and withdrawal thereof is respectfully requested.

Conclusion

The Examiner is thanked for considering the Information Disclosure Statement filed May 13, 2005 and for making an initialed PTO-1449 Form of record in the application.

Prior art of record but not utilized is believed to be non-pertinent to the instant claims.

It is believed that the rejection has been overcome, obviated or rendered moot, and no issues remain. The Examiner is accordingly respectfully requested to place the application in condition for allowance and to issue a Notice of Allowability.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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